

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
J. FREDERICK MOTZ
UNITED STATES DISTRICT JUDGE

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February 14, 2006

Memo To Counsel Re: JDS Uniphase Corporation Securities Litigation
Civil No. JFM-05-1700

Dear Counsel:

I have reviewed the memoranda submitted in connection with the motion to quash filed by Brown Capital Management, Inc. and Eddie Brown.

The motion is denied for the following reasons:

1. JDSU has made a sufficient showing that the information it seeks is relevant to the issues of causation and damages.
2. The concern expressed by movants about the confidentiality of the information sought is insubstantial in light of the confidentiality order in place in the proceedings pending in the Northern District of California.
3. Movants' contention that providing the information would be unduly burdensome borders on the frivolous in light of the extremely narrow request that JDSU is now making.

Despite the informal nature of this letter, it should be flagged as an opinion and docketed as an order.

Very truly yours,

/s/

J. Frederick Motz
United States District Judge